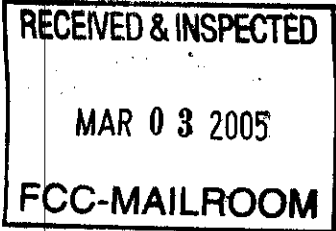


**Before the  
Federal Communications Commission  
Washington, D.C. 20554**



In the Matter of )

Petition of Cingular Wireless, LLC for a )  
Declaratory Ruling that Provisions of the Anne )  
Arundel County Zoning Ordinance Are )  
Preempted as Impermissible Regulation of Radio )  
Frequency Interference Reserved Exclusively to )  
the Federal Communications Commission )

WT Docket No. 02-100

**MEMORANDUM OPINION AND ORDER**

**Adopted: February 28, 2005**

**Released: March 1, 2005**

1. On February 22, 2005, Anne Arundel County, Maryland ("County") filed a Request to Withdraw<sup>1</sup> ("Request") its Application for Review of the *Memorandum Opinion and Order*<sup>2</sup> released by the Wireless Telecommunications Bureau ("Bureau") in this proceeding. The County states that the Commission's recent orders regarding wireless interference to public safety systems in the 800 MHz band provide a framework for addressing the interference issues that were the object of its ordinance.<sup>3</sup> Therefore, the County is withdrawing its Application.

2. The Bureau's Spectrum & Competition Policy Division hereby grants the County's Request and dismisses the Application for Review as moot.

3. Accordingly, IT IS ORDERED, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. §154(i), that the Request to Withdraw of Anne Arundel County is GRANTED and the Application for Review is DISMISSED as MOOT.

4. This action is taken pursuant to delegated authority under Section 0.331 of the Commission's rules, 47 C.F.R. § 0.331.

<sup>1</sup> Request to Withdraw of Anne Arundel County, dated February 22, 2005.

<sup>2</sup> In the Matter of Petition of Cingular Wireless, LLC for a Declaratory Ruling that Provisions of the Anne Arundel County Zoning Ordinance Are Preempted as Impermissible Regulation of Radio Frequency Interference Reserved Exclusively to the Federal Communications Commission, *Memorandum Opinion and Order*, 18 FCC Rcd. 13,126 (WTB: 2003).

<sup>3</sup> See Improving Public Safety Communications in the 800 MHz Band, *Report and Order*, 19 FCC Rcd. 14969 (2004); *Supplemental Order*, FCC 04-294, released December 22, 2004.

**Federal Communications Commission**

**Jeffrey S. Steinberg  
Deputy Chief  
Spectrum and Competition Policy Division  
Wireless Telecommunications Bureau**